

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

SCANSOFT, INC.

Plaintiff,

V.

VOICE SIGNAL TECHNOLOGIES, INC.,
LAURENCE S. GILICK, ROBERT S.
ROTH, JONATHAN P. YAMRON, and
MANFRED G. GRABHERR

Defendants.

Civil Action No. 04-10353 PBS

ORAL ARGUMENT REQUESTED

**SCANSOFT'S EMERGENCY MOTION FOR REMEDIES AND TO SHOW CAUSE
WHY DEFENDANT SHOULD NOT BE HELD IN CONTEMPT
FOR VIOLATING THE COURT'S PROTECTIVE ORDER**

ScanSoft, Inc. (“ScanSoft”) brings this emergency motion, pursuant to Fed. R. Civ. P. 37(b)(2), for remedies and to show cause why defendant Voice Signal Technologies, Inc. (“VST”) should not be held in contempt because VST has willfully refused to comply with this Court’s March 11, 2005 Protective Order (D.N. 109) requiring the return of a privileged document inadvertently produced in the course of this litigation. The grounds for this motion are more fully set forth in the accompanying Memorandum of Law and exhibits.

Accordingly, ScanSoft respectfully requests that this Court grant its Emergency Motion and (i) order VST to answer why it should not be held in contempt, (ii) order VST to immediately return the inadvertently produced privileged document, and (iii) award ScanSoft attorneys fees, costs, and expenses incurred in preparing this motion.

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

I hereby certify that counsel for the parties have conferred by phone, written correspondence, and e-mail in an effort to resolve or narrow the issues raised in this Motion pursuant to Local Rule 7.1(a)(2) on June 6 and June 7, 2005. No agreement was reached.

Dated: June 8, 2005

SCANSOFT, INC.
By its attorneys,

/s/ Rebecca L. Hanovice

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